

I171 SMALL, SMALL DISADVANTAGED, AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (AUG 1998)

(a) This clause does not apply to small business concerns.

(b) **DEFINITIONS.** As used in this clause--

(1) **Commercial item** means a product or service that satisfies the definition of commercial items in section 2.101 of the Federal Acquisition Regulation.

(2) **Commercial plan** means a subcontracting plan (including goals) that covers the offeror's fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line).

(3) **Individual contract plan** means a subcontracting plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the offeror's planned subcontracting in support of the specific contract, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.

(4) **Master plan** means a subcontracting plan that contains all the required elements of an individual contract plan, except goals, and may be incorporated into individual contract plans, provided the master plan has been approved.

(5) **Subcontract means** any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime Contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract.

(c) The offeror, upon request by the Contracting Officer, shall submit and negotiate a subcontracting plan, where applicable, that separately addresses subcontracting with small business concerns, with small disadvantaged business concerns, and with women-owned small business concerns. If the offeror is submitting an individual contract plan, the plan must separately address subcontracting with small business concerns, small disadvantaged business concerns, and women-owned small business concerns with a separate part for the basic contract and separate parts for each option (if any). The plan shall be included in and made a part of the resultant contract. The subcontracting plan shall be negotiated within the time specified by the Contracting Officer. Failure to submit and negotiate the subcontracting plan shall make the offeror ineligible for award of a contract.

(d) The offeror's subcontracting plan shall include the following:

(1) Goals, expressed in terms of percentages of total planned subcontracting dollars, for the use of small business concerns, small disadvantaged business concerns, and women-owned small business concerns as subcontractors. The offeror shall include all subcontracts that contribute to contract performance, and may include a proportionate share of products and services that are normally allocated as indirect costs.

(2) A statement of --

(i) Total dollars planned to be subcontracted for an individual contract plan; or the offeror's total projected sales, expressed in dollars, and the total value of projected subcontracts to support the sales for a commercial plan;

(ii) Total dollars planned to be subcontracted to small business concerns;

(iii) Total dollars planned to be subcontracted to small disadvantaged business concerns; and

(iv) Total dollars planned to be subcontracted to women-owned small business concerns

(3) A description of the principal types of supplies and services to be subcontracted, and an identification of the types planned for subcontracting to (i) small business concerns, (ii) small disadvantaged business concerns, and (iii) women-owned small business concerns.

(4) A description of the method used to develop the subcontracting goals in paragraph (d)(1) of this clause.

(5) A description of the method used to identify potential sources for solicitation purposes (e.g., existing company source lists, the Procurement Automated Source System (PASS) of the Small Business Administration, the National Minority Purchasing Council Vendor Information Service, the Research and Information Division of the Minority Business Development Agency in the Department of Commerce, or small, small disadvantaged and women-owned small business concerns trade associations). A firm may rely on the information contained in PASS as an accurate representation of a concern's size and ownership characteristics for purposes of maintaining a small business source list. Use of the PASS as its source list does not relieve a firm of its responsibilities (i.e., outreach, assistance, counseling, publicizing subcontracting opportunities) in this clause.

(6) A statement as to whether or not the offeror included indirect costs in establishing subcontracting goals, and a description of the method used to determine the proportionate share of indirect costs to be incurred with (i) small business concerns, (ii) small disadvantaged business concerns, and (iii) women-owned small business concerns.

(7) The name of the individual employed by the offeror who will administer the offeror's subcontracting program, and a description of the duties of the individual.

(8) A description of the efforts the offeror will make to assure that small, small disadvantaged, and women-owned small business concerns have an equitable opportunity to compete for subcontracts.

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(9) Assurances that the offeror will include the clause in this contract entitled UTILIZATION OF SMALL, SMALL DISADVANTAGED, AND WOMEN-OWNED SMALL BUSINESS CONCERNS in all subcontracts that offer further subcontracting opportunities, and that the offeror will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction of any public facility) to adopt a subcontracting plan that complies with the requirements of this clause.

(10) Assurances that the offeror will--

(i) Cooperate in any studies or surveys as may be required;

(ii) Submit periodic reports so that the Government can determine the extent of compliance by the offeror with the subcontracting plan;

(iii) Submit Standard Form (SF) 294, Subcontracting Report for Individual Contracts, and/or SF 295, Summary Subcontract Report, following the instructions on the forms or as provided in agency regulations; and

(iv) Ensure that its subcontractors agree to submit SF 294 and SF 295.

(11) A description of the types of records that will be maintained concerning procedures that have been adopted to comply with the requirements and goals in the plan, including establishing source lists; and a description of the offeror's efforts to locate small, small disadvantaged, and women-owned small business concerns and award subcontracts to them. The records shall include at least the following (on a plant-wide or company-wide basis, unless otherwise indicated):

(i) Source lists, e.g., PASS guides, and other data that identify small, small disadvantaged, or women-owned small business concerns.

(ii) Organizations contacted in an attempt to locate sources that are small, small disadvantaged, or women-owned small business concerns.

(iii) Records on each subcontract solicitation resulting in an award of more than \$100,000, indicating (A) whether small business concerns were solicited and if not, why not, (B) whether small disadvantaged business concerns were solicited and if not, why not, (C) whether women-owned small business concerns were solicited and if not, why not, and (D) if applicable, the reason award was not made to a small business concern.

(iv) Records of any outreach efforts to contact (A) trade associations, (B) business development organizations, and (C) conferences and trade fairs to locate small, small disadvantaged, and women-owned small business sources.

(v) Records of internal guidance and encouragement provided to buyers through (A) workshops, seminars, training, etc., and (B) monitoring performance to evaluate compliance with the program's requirements.

(vi) On a contract-by-contract basis, records to support award data submitted by the offeror to the Government, including the name, address, and business size of each subcontractor. Contractors having commercial plans need not comply with this requirement.

(e) In order to effectively implement this plan to the extent consistent with efficient contract performance, the Contractor shall perform the following functions:

(1) Assist small, small disadvantaged, and women-owned small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the Contractor's lists of potential small, small disadvantaged, and women-owned small business subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.

(2) Provide adequate and timely consideration of the potentialities of small, small disadvantaged, and women-owned small business concerns in all "make-or-buy" decisions.

(3) Counsel and discuss subcontracting opportunities with representatives of small, small disadvantaged, and women-owned small business firms.

(4) Provide notice to subcontractors concerning penalties for misrepresentation of business status as small, small disadvantaged, or women-owned small business for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.

(f) A master plan on a plant or division-wide basis that contains all the elements required by paragraph (d) of this clause, except goals, may be incorporated by reference as a part of the subcontracting plan required of the offeror by this clause; provided, (1) the master plan has been approved, (2) the offeror ensures that the master plan is updated as necessary and provides copies of the approved master plan, including evidence of its approval, to the Contracting Officer, and (3) goals and any deviations from the master plan deemed necessary by the Contracting Officer to satisfy the requirements of this contract are set forth in the individual subcontracting plan.

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(g) A commercial plan is the preferred type of subcontracting plan for contractors furnishing commercial items. The commercial plan shall relate to the offeror's planned subcontracting generally, for both commercial and Government business, rather than solely to the Government contract. Commercial plans are also preferred for subcontractors that provide commercial items under a prime contract, whether or not the prime Contractor is supplying a commercial item.

(h) Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the Contracting Officer in determining the responsibility of the offeror for award of the contract.

(i) The failure of the Contractor or subcontractor to comply in good faith with (1) the clause of this contract entitled UTILIZATION OF SMALL, SMALL DISADVANTAGED, AND WOMEN-OWNED SMALL BUSINESS CONCERNS, or (2) an approved plan required by this clause, shall be a material breach of the contract.

(FAR 52.219-9)

BASE REFERENCE PRICES FOR 26 OCTOBER 1998

ITEM	CODE	LOCATION	STATE	GALLONS	BAS REF
B34	08	BEDFORD PARK	IL	61,500	0.5118
B34	67	BEDFORD PARK	IL	112,000	0.4922
B34	68	BEDFORD PARK	IL	130,000	0.4386
B88	07	CAROL STREAM	IL	260,400	0.5470
B88	67	CAROL STREAM	IL	260,400	0.4922
B88	68	CAROL STREAM	IL	260,400	0.4386
B22	24/28	CHAMPAIGN	IL	50,000	0.4191
B25	8	CHICAGO	IL	527,500	0.5118
B28	681	CHICAGO	IL	1,200,000	0.4386
B28	682	CHICAGO	IL	903,000	0.4386
B29	08	CHICAGO	IL	132,000	0.5118
B29	67	CHICAGO	IL	176,400	0.4922
B29	68	CHICAGO	IL	176,400	0.4386
B30	08	CHICAGO	IL	70,000	0.5118
B30	67	CHICAGO	IL	42,000	0.4922
B30	68	CHICAGO	IL	42,000	0.4386
86	13	CHICAGO	IL	40,000	0.4386
B26	08	CHICAGO	IL	57,300	0.5118
B26	67	CHICAGO	IL	24,300	0.4922
B26	68	CHICAGO	IL	52,100	0.4386
B38	24/28	DANVILLE	IL	76,400	0.4191
B38	46	DANVILLE	IL	35,000	0.4224
B38	67	DANVILLE	IL	42,400	0.4922
91	13	EAST ST. LOUIS	IL	21,000	0.4415
B46	24/28	EAST ST. LOUIS	IL	88,000	0.4320
B55	08	FOREST PARK	IL	42,000	0.5118
B55	67	FOREST PARK	IL	67,800	0.4922
B55	68	FOREST PARK	IL	156,300	0.4386
512	67	FT. SHERIDAN	IL	52,100	0.4922
006	12	GRANITE CITY	IL	10,000	0.4938
006	13	GRANITE CITY	IL	16,000	0.4415
006	24/28	GRANITE CITY	IL	35,000	0.4320
006	46	GRANITE CITY	IL	62,500	0.4224
505	08	GREAT LAKES	IL	31,300	0.5118
505	67	GREAT LAKES	IL	25,000	0.4922
505	68	GREAT LAKES	IL	25,000	0.4386
518	70	GREAT LAKES	IL	146,000	0.4224
510	08	GREAT LAKES	IL	417,000	0.5118
510	46	GREAT LAKES	IL	52,000	0.4224
510	55	GREAT LAKES	IL	112,500	0.325067
510	67	GREAT LAKES	IL	73,000	0.4922
510	68	GREAT LAKES	IL	104,200	0.4386
B61	08	HINES	IL	208,400	0.5118
B61	46	HINES	IL	208,400	0.4224
B61	70	HINES	IL	62,500	0.4224
19	13	MARION	IL	21,000	0.4606
B70	70	MARION	IL	35,500	0.4289

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21	13	MARSEILLES	IL	35,000	0.4386
101	13	NORTH RIVERSIDE	IL	45,200	0.4386
B72	24/28	PEKIN	IL	50,000	0.4191
760	13	PEORIA	IL	33,400	0.4386
51	13	ROCK ISLAND	IL	70,000	0.4386
51	34	ROCK ISLAND	IL	100,000	0.4224
31	24/28	ROCK ISLAND	IL	105,000	0.4191
31	83	ROCK ISLAND	IL	35,000	0.4386
31	86	ROCK ISLAND	IL	35,000	0.4922
36	12	SAVANNA	IL	42,000	0.4922
36	24/28	SAVANNA	IL	42,000	0.4191
36	46	SAVANNA	IL	107,000	0.4224
36	54	SAVANNA	IL	542,000	0.323651
750	131	SCOTT AFB	IL	76,400	0.4415
750	132	SCOTT AFB	IL	195,000	0.4415
750	24/28	SCOTT AFB	IL	222,300	0.4320
111	13	SPRINGFIELD	IL	60,000	0.4386
765	13	SPRINGFIELD	IL	56,000	0.4386
765	24/28	SPRINGFIELD	IL	53,000	0.4191
765	46	SPRINGFIELD	IL	28,000	0.4224
C01	19/26	AMES	IA	58,000	0.4615
121	13	BOONE	IA	23,100	0.4654
131	12	CEDAR RAPIDS	IA	23,000	0.5287
131	13	CEDAR RAPIDS	IA	32,300	0.4654
136	13	CHARITON	IA	24,000	0.4654
141	13	COUNCIL BLUFFS	IA	28,000	0.4654
C16	24/28	COUNCIL BLUFFS	IA	50,000	0.4615
144	13	DAVENPORT	IA	40,300	0.4654
770	12	DES MOINES	IA	18,100	0.5287
770	13	DES MOINES	IA	20,000	0.4654
770	24/28	DES MOINES	IA	40,000	0.4615
146	12	FAIRFIELD	IA	25,000	0.5287
146	13	FAIRFIELD	IA	58,400	0.4654
151	13	FORT DODGE	IA	24,600	0.4654
C41	46	IOWA CITY	IA	31,250	0.4602
161	12	JOHNSTON	IA	88,900	0.5287
161	13	JOHNSTON	IA	211,250	0.4654
166	12	MASON CITY	IA	27,100	0.5287
166	13	MASON CITY	IA	55,600	0.4654
171	12	RED OAK	IA	25,000	0.5287
171	13	RED OAK	IA	38,600	0.4654
775	12	SERGEANT BLUFF	IA	42,000	0.5287
775	24/28	SERGEANT BLUFF	IA	37,500	0.4615
176	13	SIOUX CITY	IA	26,500	0.4654
181	13	WATERLOO	IA	25,000	0.4654
780	12	ALPENA	MI	31,250	0.5088
780	13	ALPENA	MI	83,400	0.4542
785	12	BATTLE CREEK	MI	52,100	0.4922
785	24/28	BATTLE CREEK	MI	31,250	0.4191

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D33	24/28	BATTLE CREEK	MI	26,100	0.4191
D33	67	BATTLE CREEK	MI	46,900	0.4922
D19	67	DETROIT	MI	222,100	0.5088
D19	68	DETROIT	MO	258,400	0.4542
D41	22/27	DOLLAR BAY	MI	21,000	0.5388
D41	70	DOLLAR BAY	MI	21,000	0.4284
231	12	GRAYLING	MI	348,000	0.5088
231	24/28	GRAYLING	MI	42,000	0.4531
D45	28	HOUGHTON	MI	28,000	0.4415
D45	68	HOUGHTON	MI	173,700	0.4440
261	12	LANSING	MI	38,200	0.5088
D55	24/28	MILAN	MI	52,100	0.4531
790	131	SELFREDGE ANG BASE	MI	28,000	0.4542
790	132	SELFREDGE ANG BASE	MI	225,000	0.4542
790	19/26	SELFREDGE ANG BASE	MI	208,400	0.4867
790	46	SELFREDGE ANG BASE	MI	104,200	0.4578
D79	67	TROY	MI	90,300	0.5088
D79	68	TROY	MI	180,600	0.4542
E09	24/28	DULUTH	MN	118,100	0.5243
805	12	DULUTH	MN	40,200	0.5268
805	13	DULUTH	MN	17,650	0.4777
805	24	DULUTH	MN	39,600	0.5361
E11	24/28	DULUTH	MN	28,125	0.5361
E19	22/27	INTERNATIONAL FALLS	MN	50,000	0.5954
E21	22/27	INTERNATIONAL FALLS	MN	43,750	0.5954
311	12	LITTLE FALLS	MN	265,900	0.5194
311	13	LITTLE FALLS	MN	456,200	0.4714
311	24/28	LITTLE FALLS	MN	78,100	0.5243
810	12	MINNEAPOLIS	MN	107,700	0.5194
810	13	MINNEAPOLIS	MN	70,000	0.4714
810	24/28	MINNEAPOLIS	MN	76,400	0.5243
E29	24/28	MINNEAPOLIS	MN	145,900	0.5243
E29	67	MINNEAPOLIS	MN	121,600	0.5194
E29	68	MINNEAPOLIS	MN	1,180,600	0.4714
E35	24/28	MINNEAPOLIS	MN	118,100	0.5243
E45	46	RED LAKE	MN	300,000	0.4675
E48	24/28	ROCHESTER	MN	37,500	0.5243
E49	46	ST. CLOUD	MN	105,000	0.4557
E61	68	ST. PAUL	MN	55,600	0.4714
E51	24/28	ST. PAUL	MN	167,000	0.5243
E51	67	ST. PAUL	MN	225,000	0.5194
E51	68	ST. PAUL	MN	368,100	0.4714
E68	24/28	WASECA	MN	38,000	0.5243
815	12	CAMP DOUGLAS	WI	52,100	0.5051
815	13	CAMP DOUGLAS	WI	417,000	0.4603
815	24/28	CAMP DOUGLAS	WI	312,500	0.4522
316	24/28	FORT MCCOY	WI	333,400	0.4522
820	12	MADISON	WI	42,000	0.4922
820	24/28	MADISON	WI	35,500	0.4191

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F26	24/28	MADISON	WI	165,000	0.4191
F26	68	MADISON	WI	122,000	0.4386
F66	08	MILWAUKEE	WI	100,000	0.5168
825	08	MILWAUKEE	WI	35,000	0.5168
825	12	MILWAUKEE	WI	42,000	0.4804
825	13	MILWAUKEE	WI	24,350	0.4440
830	08	MILWAUKEE	WI	45,200	0.5168
830	12	MILWAUKEE	WI	50,000	0.4804